



APPROVED

KITTERY PORT AUTHORITY

January 8, 2014 Meeting Minutes
Council Chambers, Town Hall

Members Present: Bob Melanson, Chairman, Tom Smith, Barry Bush, Ray Grenier, Steve Lawrence, Kelly Philbrook
Members Absent: Dan Arbo
Staff: Harbormaster Mike Blake

The meeting of January 8, 2014 was called to order at 6:00 p.m.

1. Pledge of Allegiance
2. Minutes: December 12, 2013 minutes
Tom Smith moved to accept the minutes as presented
Barry Bush seconded
Motion carried unanimously by all members present
3. Public Segment – There was no public comment
4. Budget Report- Income & Expense – Mike Blake

The Harbormaster noted the budget report is 13 pages long, so has submitted electronically. If any member wishes to have paper reports, please advise. There have been no significant budget changes since the December report, with 58% expended to date. A cost of \$1100 to repair Government Street hoist is not yet reflected in the report.

Revenue: Transient docking and dinghy fee revenue will be reported separately in the future.

Bob Melanson noted Applicant Service Account fees (ASA) are now being charged to KPA applicants, where before charges such as advertising and postage costs were charged to the KPA budget.

5. Harbor Master Report – Mike Blake
 - Bid documents for the Traip Float project are under review by the Town Manager, and will be going out soon.
 - 10 no-wake buoys have been ordered.
 - Government Street hoist has been repaired.
 - Season and launch passes are being collected.
 - Some Frisbee lights are being switched over to LED lights to save on electrical costs.
 - Harbormaster lettering for the skiffs.
 - Working on new Harbormaster website so information can be posted in a timely manner, and the public can get current information in one place.
 - Private aids to navigation (1 red and 1 green buoy) in Pepperrell Cove are missing.

6. Marinas Piers & Floats - Schedule Public Hearings

- Frisbee Holdings, LLC, 88 Pepperrell Road, Map 27, Lot 49 in the LB Zone. Proposal to add a 8 x 50 foot seasonal float attached to the existing 6 x 72 foot fixed pier, gangway and float to provide deeper water access. Zachary Taylor, agent, summarized the application. DEP approval has been received and ACOE approval is anticipated shortly. Discussions with Harbormaster regarding mooring relocation have begun, and notices will be sent to the affected mooring holders when a public hearing is scheduled.

Tom Smith: How many moorings would be affected, and how close are they to the FNP line? Zach Taylor: Moorings 24, 23 and 150 would be impacted, with a minimum of 2 requiring relocation. If the moorings were moved, Mr. Damico would pay the cost. Estimate setback from the Federal Navigational Channel is 46 – 48 feet, where 36 feet is required.

Bob Melanson: The Council approved a waiver of the side line encroachment of the wharf when the pier was built. Zach Taylor concurred, noting the pilings are within 50 feet of the proposed structure. The KPA could provide a conditional approval pending Council sign-off. Bob Melanson stated this will have to be resolved in order to proceed further.

Zach Taylor: the application is substantially complete and ready for a hearing. As was done before, this could be reviewed and approved or approved conditionally, awaiting the Council's decision regarding the setback. Any remaining information needed will be provided prior to the public hearing.

Tom Smith: this proposal would be a hazard to navigation and the need for a longer pier is not evident. Why impact the harbor and mooring holders for this proposal?

Kelly Philbrook: not comfortable going to a public hearing until Council has made a determination. The applicant needs to identify swing circle of mooring areas and provide abutter names. Additionally, Mr. Damico does not own the ferry service and she has heard that Mr. Odams may not continue this business. She will not agree to send this application to a public hearing without more information.

Discussion followed regarding how this issue will be presented to Council and whether Council consent regarding the setback would be required prior to KPA approval. Kelly Philbrook noted that in those few instances where low tide may impact the docking of the ferry, there is a public pier available. This expansion is not needed to conduct the business as proposed and would negatively impact navigation and mooring holders.

Kelly Philbrook moved to continue review of the application of Frisbee Holdings LLC to the February 6, 2014 meeting in order to receive additional documentation.

Ray Grenier seconded

Discussion:

Bob Melanson: summarized the documentation needed prior to the next meeting:

1. Describe relationship of Frisbee Holdings, LLC with Mr. Odams ferry service;
2. Provide abutter addresses/notices (including mooring holders);
3. Identify swing circles of impacted moorings on the plan; and
4. A letter from the KPA to the Council asking for their advice and consent regarding 50-foot setback issue.

Zach Taylor noted providing abutter notification is when a public hearing is scheduled, and the list of abutters was inadvertently omitted from the application, but has been

provided to the DEP. Steve Lawrence asked that floats be in place prior to a site walk in order to see the full length of the proposed structure.

Motion carried with 5 in favor; 0 against; 1 abstention (Lawrence)

- Michael Parsons, 165A Whipple Road, Map 16 Lot 204 in the UR Zone. Proposal to add stairs (12 feet); 5x20' pier; 3x25' seasonal ramp and a 16x12' seasonal float. Michael Parsons summarized the proposal, noting he wishes to retain the natural conditions of the shorefront with as little impact as possible. Custom Floats of Portland will set the helix anchors. Tom Smith: How will the pier be accessed? Michael Parsons: Through the woods, or from Newson Avenue via a small parcel he owns. Discussion followed regarding float installation. DEP review is underway. Bob Melanson noted the proposed stairs are not reviewed by the KPA but by the Planning Board for upland development. A path would not require Planning Board review.

Kelly Philbrook moved to accept the application of Michael Parsons at 165A Whipple Road as substantially complete and move to a public hearing on February 6, 2014.

Barry Bush second

Motion carried unanimously by all members present

A site walk to this property was scheduled for Tuesday, January 28 at 4:00 p.m.

7. Pepperrell Pier Project Status - Robert Melanson
Award letter is \$230,000 with an additional \$90,000 from MDOT and a Town match equaling \$90,000 for utility work performed by the DPW on Bellamy Lane. The proposed time line for DPW work would have the Bellamy Lane work completed by May 2, 2014. Barry Bush will provide KPA oversight with Prock Marine as Tom Smith will not be available the first part of March.
8. Rules & Regulations 2014
Following review of proposed changes recommended at the workshop and additional changes,

Barry Bush moved to schedule a Public Hearing to review Rules and Regulations changes as discussed

Tom Smith seconded

Motion carried unanimously by all members present

9. Kittery Shore & Harbor Plan
Draft of Shore and Harbor Plan was provided to KPA members. Another meeting will be held on Tuesday, January 14 at 1:00 conference room B Town Hall to discuss the Plan. Kelly Philbrook noted her concern that there appears to be a substantial amount of work that is falling upon the KPA to complete. Is this plan really supposed to be implemented as outlined, or is it a wish-list?

10. Frisbee Pier Hoist

Tom Smith: to increase the speed of the hoist it must be a 3-phase, 2-speed. The existing winch was the fastest single phase winch available at the time purchased. The difference is 20.5 feet per minute vs. 32 feet per minute. If 3-phase is not available, a marine convertor will be needed at approximately \$5,000, plus \$2,000 for the hoist. The prior convertor was not a marine convertor and is now gone. Kelly Philbrook explained this hoist is not as fast as the original, back-up hoist. The Harbormaster will get quote from an electrician for hoist replacement and place it in the next FY CIP budget.

11. New & Old Business

- Steve Lawrence – none
- Kelly Philbrook – Received calls about bait storage by Mr. Baxter at Pepperrell Cove and traps frozen in place. She said fishermen are concerned they will be blamed for the actions of one person. The Harbormaster stated he has taken care of the bait, and traps will be taken care of shortly.
- Ray Grenier – none
- Barry Bush – none
- Tom Smith – For less than \$500, a card swipe system could be installed to use the hoist; or consider a key system, which would be cheaper; a keypad system was also suggested; Steve Lawrence, Tom Smith and Mike Blake will research systems and report findings to the KPA.
- Bob Melanson – Sharing of Harbormaster with Eliot is under consideration.
- Harbormaster Blake – The Eliot Harbormaster was called out twice in 10 years; the goal is to have assistant Harbormasters paid for their work; the Eliot stipend of \$7,500 would allow an extra 1 day per week for the assistants, allowing him to go to Eliot; there is a \$6,000 operational budget that would also go to KPA budget for boat maintenance; he would report to Chief Short while in Eliot. Discussion followed regarding use of Assistant Harbormasters and the schedule could change.

Bob Melanson moved that the Kittery Port Authority supports the shared responsibilities of the Harbormaster between Kittery and Eliot

Seconded by Barry Bush

Motion carried unanimously by all members present

12. Adjourn

Kelly Philbrook moved to adjourn

Motion carried unanimously by all members present

The KPA meeting of January 8, 2014 adjourned at 7:52 p.m.

Submitted by Jan Fisk, January 12, 2014